

**DRAFT – VERSION A**  
**(COMBINED OPTION FOR REIMBURSEMENT)**  
**Airplane Subpolicy Statement – January 17, 2006**

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11. Reporting Travel Related Expenditures:

A. Expenditures for travel relating to the election of a statewide or legislative office candidate shall be considered a direct campaign expense and be reported by the candidate's authorized committee as expenditures, except as provided by A.R.S. § 16-901(5)(b)(iv). (~~Campaign staff or volunteers~~ Volunteers traveling with a candidate, may choose to pay their own traveling expenses, which shall not be considered a contribution to the candidate.) For a trip that is entirely campaign-related, the total cost of the trip shall be a direct campaign expense and a reportable expenditure.

1. Travel expenses of a candidate's spouse and immediate family when accompanying the candidate on campaign-related travel shall be treated as direct campaign expenses and reportable expenditures if the spouse or immediate family members conduct campaign-related activities.

~~2. If the trip is by charter airplane, the actual cost for each passenger shall be determined by dividing the total operating cost for the charter by the total number of passengers transported. The amount that is a direct campaign expense and a reportable expenditure shall be calculated on the basis of the actual cost per passenger multiplied by the number of passengers traveling for campaign purposes.~~

~~B. For travel by airplane, an itinerary shall be prepared and made available for Commission inspection. The itinerary shall show the time of arrival and departure, the type of events held, a list of all passengers on the trip, and whether the pilot(s) was compensated or volunteering his or her services.~~

~~(Adopted April 30, 2002-), Revised January x, 2006)~~

12. Allocation of Campaign Expenses Between Campaign and Non-Campaign Related Travel.

~~A. A.~~ This policy applies to allocation for expenses between campaign and non-campaign related travel with respect to ~~campaigns of~~ candidates running for statewide and legislative offices.

~~Where a candidate's trip involves both campaign-related and non-campaign-related stops, the expenditures allocable for campaign purposes are reportable shall be reported, and are calculated on the actual cost per mile of based on~~ the means of transportation actually used (see Substantive Policy Statement #13), starting at the point of origin of the trip, via every campaign-related stop and ending at the point of origin. For a trip that includes campaign-related and non-campaign related stops, that portion of the cost of the trip allocable to campaign activity shall be a direct campaign expense and a reportable expenditure. Such portion shall be determined by calculating what the trip would have cost from the point of origin of the trip to the first campaign-related stop and from the stop through each subsequent campaign-related stop back to the point of origin. If any campaign activity, other than incidental contacts, is conducted at a stop, that stop shall be considered campaign-related. Campaign activity includes soliciting, making, or accepting contributions, and expressly advocating the election or defeat of the candidate. Other factors, including the setting, timing and statements or expressions of the purpose of an event, and the substance of the remarks or speech made, will also be considered in determining whether a stop is campaign-related.

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- B. Where a candidate or the candidate's committee conducts any campaign-related activity with other candidates, ~~the portion of the trip attributed to each candidate shall be allocated on a reasonable basis~~ this shall be considered a joint expenditure pursuant to R2-20-703(C) and each candidate shall pay their proportionate share of the cost. (Adopted April 30, 2002-, Revised January x, 2006)

13. Use of Privately-Owned Airplanes; Motor Vehicle; Accommodations.

In all situations, a candidate committee who uses airplane travel as a direct campaign purpose must report the expenditure or report the value of the in-kind contribution for the travel. In-kind contributions shall not exceed the individual or personal contribution limits.

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- A. A candidate who owns a private airplane and uses it for campaign purposes shall be reimbursed by the campaign at the state mileage reimbursement rate for airplane travel in subsection F. The candidate may also choose to be reimbursed at the current airplane rental rate plus applicable incidental fees for gas, holding fees, etc... for the current publicly available retail rental rate of the actual model of airplane used for travel. If the candidate is not able to be reimbursed for the actual use of the aircraft, then the payment shall be remitted to the Clean Elections Fund.
- B. A volunteer who owns a private airplane and donates the use of it to a campaign shall be paid the state mileage reimbursement rate for airplane travel in subsection F. The campaign committee may also choose to reimburse the volunteer at the current airplane rental rate plus applicable incidental fees for gas, holding fees, etc... for the current rental rate of the actual model of airplane used for travel. If the volunteer is not able to accept payments for the actual use of the aircraft, then the payment shall be remitted to the Clean Elections Fund. A volunteer pilot may choose to donate the use of travel time without requiring compensation. The itinerary required to be prepared for all campaign travels via private aircraft shall note whether a pilot was either compensated or volunteering a personal service.
- C. A candidate, candidate's agent or person traveling on behalf of a candidate who uses a chartered, rented, or commercial airplane shall pay the actual cost for that service. Rental and chartered airplanes shall include any additional incidental costs including hourly flight rates, hourly holding fee, any ramp, handling, catering, and taxes, if applicable.
1. If the trip is by charter airplane, the actual cost for each passenger shall be determined by dividing the total operating cost for the charter by the total number of passengers transported. The amount that is a direct campaign expense and a reportable expenditure shall be calculated on the basis of the actual cost per passenger multiplied by the number of passengers traveling for campaign purposes.
- D. A candidate that uses a state aircraft for campaign purposes shall reimburse the State at the state mileage reimbursement rate for airplane travel allocable to the campaign. If the State is unable to accept the payment, the payment shall be remitted to the Clean Elections Fund.
- E. For travel by airplane, an itinerary shall be prepared and made available for Commission inspection. The itinerary shall show the time of arrival and departure, nautical mileage, the type of events held, a list of all passengers on the trip, and whether the pilots were compensated or volunteering their services. If payment amounts are based on current publicly available retail rental rates, the itinerary shall include the date of travel and identify what services were used for reference.
- F. The state reimbursement rate for the 2006 election cycle is 99.5 cents per nautical mile. For calculations, 1 nautical mile is equal to 1.1508 miles.

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G. Aircraft that is being used for banner towing, skywriting, or other means of communication which include express advocacy shall not fall under the provisions of this policy.

~~A candidate, candidate's agent, or person traveling on behalf of a candidate who uses an airplane that is owned or leased by the candidate, another person, or charter airplane company shall reimburse the owner or leaseholder for the value of the travel and report the expenditure, or report the value of the in-kind contribution for the travel:~~

- ~~1. In the case of travel to a city served by regularly scheduled commercial service, then the lowest non-discounted coach airfare; or~~
- ~~2. In the case of travel to a city not served by a regularly scheduled commercial service, the charter rate comparable to the service provided under existing Arizona state contracts with charter airplane companies. Those amounts are available attached.~~

~~In all situations, a candidate's campaign must reimburse the owner or leaseholder for the use of an airplane. A pilot may donate the use of his or her time without requiring compensation. The itinerary required to be prepared for all campaign travels via private aircraft shall note whether the pilots were compensated or volunteers.~~

H.B. A candidate, candidate's agent, or person traveling on behalf of a candidate who uses a motor vehicle, which is owned or leased by the candidate or another person or organization, must reimburse the candidate, person or organization respectively at the normal and usual rental charge of the transportation. The normal and usual reasonable rental charge shall be at least 10¢ per mile, which shall be paid from the candidate's campaign account. If the candidate fails to reimburse the owner or leaseholder for the use of the motor vehicle within 30 calendar days of the travel, then the value of the use of the motor vehicle is an in-kind contribution to the candidate's campaign and shall be assessed as the per mile reimbursement amount allowed to state employees at the time by the Arizona Department of Administration.

I.C. If any individual, including a candidate, uses accommodations, including lodging and meeting rooms, during campaign-related travel, and the accommodations are paid for by another person, the candidate's authorized committee shall pay the person an amount equal to the usual and normal charge for the accommodations, and shall maintain documentation supporting the amount paid.

#### CHARTER AIRPLANE RATES ON ARIZONA STATE CONTRACT

~~Commission staff researched both state and federal travel law to arrive at its recommendation for travel policies. State employees that choose to travel in state via aircraft must arrange their own travel through one of the private charter flight companies that is on contract with the State Procurement Office. Staff contacted two of these aircraft charter companies to determine a reasonable range of cost for airline travel, and gathered the following information:~~

~~In general, aircraft charter companies charge an hourly flight rate, an hourly holding fee, any applicable ramp, handling and catering fees, and applicable tax.~~

~~Staff used Federal regulations for candidates for federal elections to determine reimbursement procedures for the use of a privately owned airplane. Staff also used these regulations to determine travel documentation requirements for candidates and the procedure for determining the cost per person. (Adopted April 30, 2002, updated August 2003, revised January x, 2006)~~

**DRAFT – VERSION B**  
**(NAUTICAL MILEAGE REIMBURSEMENT)**  
**Airplane Subpolicy Statement – January 17, 2006**

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~~B. For travel by airplane, an itinerary shall be prepared and made available for Commission inspection. The itinerary shall show the time of arrival and departure, the type of events held, a list of all passengers on the trip, and whether the pilot(s) was compensated or volunteering his or her services.~~

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- B. Where a candidate or the candidate's committee conducts any campaign-related activity with other candidates, ~~the portion of the trip attributed to each candidate shall be allocated on a reasonable basis~~ this shall be considered a joint expenditure pursuant to R2-20-703(C) and each candidate shall pay their proportionate share of the cost. (Adopted April 30, 2002-, Revised January x, 2006)

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- B. A volunteer who owns a private airplane and donates the use of it to a campaign shall be paid the state mileage reimbursement rate for airplane travel in subsection F. If the volunteer is not able to accept payments for the actual use of the aircraft, then the payment shall be remitted to the Clean Elections Fund. A volunteer pilot may choose to donate the use of travel time without requiring compensation. The itinerary required to be prepared for all campaign travels via private aircraft shall note whether a pilot was either compensated or volunteering a personal service.

- C. A candidate, candidate's agent or person traveling on behalf of a candidate who uses a chartered, rented, or commercial airplane shall pay the actual cost for that service. Rental and chartered airplanes shall include any additional incidental costs including hourly flight rates, hourly holding fee, any ramp, handling, catering, and taxes, if applicable.

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- D. A candidate that uses a state aircraft for campaign purposes shall reimburse the State at the state mileage reimbursement rate for airplane travel allocable to the campaign. If the State is unable to accept the payment, the payment shall be remitted to the Clean Elections Fund.

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- F. The state reimbursement rate for the 2006 election cycle is 99.5 cents per nautical mile. For calculations, 1 nautical mile is equal to 1.1508 miles.

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H.B. A candidate, candidate's agent, or person traveling on behalf of a candidate who uses a motor vehicle, which is owned or leased by the candidate or another person or organization, must reimburse the candidate, person or organization respectively at the normal and usual rental charge of the transportation. The normal and usual reasonable rental charge shall be at least 10¢ per mile, which shall be paid from the candidate's campaign account. If the candidate fails to reimburse the owner or leaseholder for the use of the motor vehicle within 30 calendar days of the travel, then the value of the use of the motor vehicle is an in-kind contribution to the candidate's campaign and shall be assessed as the per mile reimbursement amount allowed to state employees at the time by the Arizona Department of Administration.

I.C. If any individual, including a candidate, uses accommodations, including lodging and meeting rooms, during campaign-related travel, and the accommodations are paid for by another person, the candidate's authorized committee shall pay the person an amount equal to the usual and normal charge for the accommodations, and shall maintain documentation supporting the amount paid.

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**DRAFT – VERSION C**  
**(RENTAL RATE FOR REIMBURSEMENT)**  
**Airplane Subpolicy Statement – January 17, 2006**

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PUBLIC COMMENT  
ON  
AGENDA ITEM VI

**DRAFT – VERSION C Public Comment by Phil Corbell**  
**(RENTAL RATE FOR REIMBURSEMENT)**  
**Airplane Subpolicy Statement – January 17, 2006**

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- B. A volunteer who owns a private airplane and donates the use of it to a campaign shall be reimbursed at the current airplane rental rate plus applicable incidental fees for gas, holding fees, etc... for the current rental rate of the actual model of airplane used for travel. If the volunteer is not able to accept payments for the actual use of the aircraft, then the payment shall be remitted to the Clean Elections Fund. A volunteer pilot may choose to donate the use of travel time without requiring compensation. The itinerary required to be prepared for all campaign travels via private aircraft shall note whether a pilot was either compensated or volunteering a personal service.
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1. If the trip is by charter airplane, the actual cost for each passenger shall be determined by dividing the total operating cost for the charter by the total number of passengers transported. The amount that is a direct campaign expense and a reportable expenditure shall be calculated on the basis of the actual cost per passenger multiplied by the number of passengers traveling for campaign purposes.
- D. A candidate that uses a state aircraft for campaign purposes shall reimburse the State at the state mileage reimbursement rate for airplane travel allocable to the campaign. If the State is unable to accept the payment, the payment shall be remitted to the Clean Elections Fund.
- E. For travel by airplane, an itinerary shall be prepared and made available for Commission inspection. The itinerary shall show the time of arrival and departure, nautical mileage, the type of events held, a list of all passengers on the trip, and whether the pilots were compensated or volunteering their services. If payment amounts are based on current publicly available retail rental rates, the itinerary shall include the date of travel and identify what services were used for reference.
- F. The state reimbursement rate for the 2006 election cycle is 99.5 cents per nautical mile. For calculations, 1 nautical mile is equal to 1.1508 miles.
- G. If the pilot actually flying an aircraft on such a campaign flight as described in the preceding sections, is only a FAA Private Pilot, expenses shall be determined as above and shared equally among all the persons on that flight per FAA regulations. The Private Pilot's share of the expenses will not be considered an in-kind contribution. The candidate's share will be considered as a campaign expense.

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G. Aircraft that is being used for banner towing, skywriting, or other means of communication which include express advocacy shall not fall under the provisions of this policy.

~~A candidate, candidate's agent, or person traveling on behalf of a candidate who uses an airplane that is owned or leased by the candidate, another person, or charter airplane company shall reimburse the owner or leaseholder for the value of the travel and report the expenditure, or report the value of the in-kind contribution for the travel:~~

- ~~1. In the case of travel to a city served by regularly scheduled commercial service, then the lowest non-discounted coach airfare; or~~
- ~~2. In the case of travel to a city not served by a regularly scheduled commercial service, the charter rate comparable to the service provided under existing Arizona state contracts with charter airplane companies. Those amounts are available attached.~~

~~In all situations, a candidate's campaign must reimburse the owner or leaseholder for the use of an airplane. A pilot may donate the use of his or her time without requiring compensation. The itinerary required to be prepared for all campaign travels via private aircraft shall note whether the pilots were compensated or volunteers.~~

H.B. A candidate, candidate's agent, or person traveling on behalf of a candidate who uses a motor vehicle, which is owned or leased by the candidate or another person or organization, must reimburse the candidate, person or organization respectively at the normal and usual rental charge of the transportation. The normal and usual reasonable rental charge shall be at least 10¢ per mile, which shall be paid from the candidate's campaign account. If the candidate fails to reimburse the owner or leaseholder for the use of the motor vehicle within 30 calendar days of the travel, then the value of the use of the motor vehicle is an in-kind contribution to the candidate's campaign and shall be assessed as the per mile reimbursement amount allowed to state employees at the time by the Arizona Department of Administration.

I.C. If any individual, including a candidate, uses accommodations, including lodging and meeting rooms, during campaign-related travel, and the accommodations are paid for by another person, the candidate's authorized committee shall pay the person an amount equal to the usual and normal charge for the accommodations, and shall maintain documentation supporting the amount paid.

#### CHARTER AIRPLANE RATES ON ARIZONA STATE CONTRACT

~~Commission staff researched both state and federal travel law to arrive at its recommendation for travel policies. State employees that choose to travel in state via aircraft must arrange their own travel through one of the private charter flight companies that is on contract with the State Procurement Office. Staff contacted two of these aircraft charter companies to determine a reasonable range of cost for airline travel, and gathered the following information:~~

~~In general, aircraft charter companies charge an hourly flight rate, an hourly holding fee, any applicable ramp, handling and catering fees, and applicable tax.~~

~~Staff used Federal regulations for candidates for federal elections to determine reimbursement procedures for the use of a privately owned airplane. Staff also used these regulations to determine travel documentation requirements for candidates and the procedure for determining the cost per person. (Adopted April 30, 2002, updated August 2003, revised January x, 2006)~~

## Regulations

requirements of this part, flight training in and Alaska.

flight training in and Alaska but does not meet requirements of this section.

not certificate with a limitation; and

the appropriate night flight of this subpart within 30 days after the issuance of the certificate, or at the end of that period, the certificate is invalid for use until the appropriate night flight subpart. The person may not be subject to the "prohibited" limitation re-

appropriate night flight subpart; and

either a logbook or training record that is authorized in the accomplishment of the appropriate requirements of this

not meet the night flying requirements of (2), (i)(2), or (j)(2) may not be issued with the limitation. This limitation may be removed if the holder complies with the requirements of § 61.109(d)(2), (i)(2), or

298, April 4, 1997, as amended by Amdt. 40904, July 30, 1997, and Amdt. 40904, July 27, 2004]

### Flights: Islands.

paragraph (b) of this section, flight training on an island from which flight training required in this section is accomplished with more than 10 nautical miles from the nearest airport need not comply with this section.

permit civil operations may be made with more than 10 nautical miles from the nearest airport, the applicant must submit a round-trip solo flight report that is filed at each airport on

complies with paragraph (b) of this section, and meets all the requirements of a private pilot certificate. The flight report will be issued if the endorsement containing

### § 61.113 Private pilot privileges and limitations: Pilot in command.

(a) Except as provided in paragraphs (b) through (g) of this section, no person who holds a private pilot certificate may act as pilot in command of an aircraft that is carrying passengers or property for compensation or hire; nor may that person, for compensation or hire, act as pilot in command of an aircraft.

(b) A private pilot may, for compensation or hire, act as pilot in command of an aircraft in connection with any business or employment if:

(1) The flight is only incidental to that business or employment; and

(2) The aircraft does not carry passengers or property for compensation or hire.

(c) A private pilot may not pay less than the pro rata share of the operating expenses of a flight with passengers, provided the expenses involve only fuel, oil, airport expenditures, or rental fees.

(d) A private pilot may act as pilot in command of an aircraft used in a passenger-carrying airlift sponsored by a charitable organization described in paragraph (d)(7) of this section, and for which the passengers make a donation to the organization, when the following requirements are met:

(1) The sponsor of the airlift notifies the FAA Flight Standards District Office with jurisdiction over the area concerned at least 7 days before the event and furnishes—

(i) A signed letter from the sponsor that shows the name of the sponsor, the purpose of the charitable event, the date and time of the event, and the location of the event; and

(ii) A photocopy of each pilot in command's pilot certificate, medical certificate, and logbook entries that show the pilot is current in accordance with §§ 61.56 and 61.57 of this part and has logged at least 200 hours of flight time.

(2) The flight is conducted from a public airport that is adequate for the aircraft to be used, or from another airport that has been approved by the FAA for the operation.

(3) No aerobatic or formation flights are conducted.

### § 61.115

(4) Each aircraft used for the charitable event holds a standard airworthiness certificate.

(5) Each aircraft used for the charitable event is airworthy and complies with the applicable requirements of subpart E of part 91 of this chapter.

(6) Each flight for the charitable event is made during day VFR conditions.

(7) The charitable organization is an organization identified as such by the U.S. Department of Treasury.

(e) A private pilot may be reimbursed for aircraft operating expenses that are directly related to search and location operations, provided the expenses involve only fuel, oil, airport expenditures, or rental fees, and the operation is sanctioned and under the direction and control of:

(1) A local, State, or Federal agency; or

(2) An organization that conducts search and location operations.

(f) A private pilot who is an aircraft salesman and who has at least 200 hours of logged flight time may demonstrate an aircraft in flight to a prospective buyer.

(g) A private pilot who meets the requirements of § 61.69 may act as a pilot in command of an aircraft towing a glider or unpowered ultralight vehicle.

[Docket No. 25910, 62 FR 16298, April 4, 1997; as amended by Amdt. 61-110, 69 FR 44869, July 27, 2004]

### § 61.115 Balloon rating: Limitations.

(a) If a person who applies for a private pilot certificate with a balloon rating takes a practical test in a balloon with an airborne heater:

(1) The pilot certificate will contain a limitation restricting the exercise of the privileges of that certificate to a balloon with an airborne heater; and

(2) The limitation may be removed when the person obtains the required aeronautical experience in a gas balloon and receives a logbook endorsement from an authorized instructor who attests to the person's accomplishment of the required aeronautical experience and ability to satisfactorily operate a gas balloon.

(b) If a person who applies for a private pilot certificate with a balloon rating takes a practical test in a gas balloon:

(1) The pilot certificate will contain a limitation restricting the exercise of the privilege of that certificate to a gas balloon; and

(2) The limitation may be removed when the person obtains the required aeronautical experience in a balloon with an airborne heater and receives a logbook endorsement from an authorized instructor who attests to the person's accomplishment of the required aeronautical experience and ability to satisfactorily operate a balloon with an airborne heater.



**DRAFT – VERSION (PUBLIC COMMENT OF KIM DEMARCHI)**  
**(COMBINED OPTION FOR REIMBURSEMENT)**  
Airplane Subpolicy Statement – January 25, 2006

11. Reporting Travel Related Expenditures:

A. Expenditures for travel relating to the election of a statewide or legislative office candidate shall be considered a direct campaign expense and be reported by the candidate's authorized committee as expenditures, except as provided by A.R.S. § 16-901(5)(b)(iv). (~~Volunteers~~ traveling with a candidate, may choose to pay their own traveling expenses, which shall not be considered a contribution to the candidate.) For a trip that is entirely campaign-related, the total cost of the trip shall be a direct campaign expense and a reportable expenditure.

1. Travel expenses of a candidate's spouse and immediate family when accompanying the candidate on campaign-related travel shall be treated as direct campaign expenses and reportable expenditures if the spouse or immediate family members conduct campaign-related activities.

(Adopted April 30, 2002, Revised January x, 2006)

12. Allocation of Campaign Expenses Between Campaign and Non-Campaign Related Travel.

A. This policy applies to allocation for expenses between campaign and non-campaign related travel with respect to candidates running for statewide and legislative office. ~~The expenditures allocable for campaign purposes shall be reported and calculated based on~~ the means of transportation actually used (see Substantive Policy Statement #13), starting at the point of origin of the trip, via every campaign-related stop and ending at the point of origin. For a trip that includes campaign-related and non-campaign related stops, that portion of the cost of the trip allocable to campaign activity shall be a direct campaign expense and a reportable expenditure. If a trip is for both campaign and non-campaign purposes, no less than fifty percent (50%) of the cost of the trip shall be apportioned to "campaign purposes." Campaign activity includes soliciting, making, or accepting contributions, and expressly advocating the election or defeat of the candidate. Other factors, including the setting, timing and statements or expressions of the purpose of an event, and the substance of the remarks or speech made, will also be considered in determining whether a stop is campaign-related.

B. Where a candidate or the candidate's committee conducts any campaign-related activity with other candidates, this shall be considered a joint expenditure pursuant to R2-20-703(C) and each candidate shall pay their proportionate share of the cost.  
(Adopted April 30, 2002, Revised January x, 2006)

13. Use of Privately-Owned Airplanes; Motor Vehicle; Accommodations.

In all situations, a candidate committee who uses airplane travel as a direct campaign purpose must report the expenditure or report the value of the in-kind contribution for the travel. In-kind contributions shall not exceed the individual or personal contribution limits.

A. A candidate who owns a private airplane and uses it for campaign purposes shall be reimbursed by the campaign at the state mileage reimbursement rate for airplane travel in subsection F. The candidate may also choose to be reimbursed at the current airplane rental rate plus applicable incidental fees for gas, holding fees, etc... for the current publicly available retail rental rate of the actual model of airplane used for

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**Deleted:** 2. If the trip is by charter airplane, the actual cost for each passenger shall be determined by dividing the total operating cost for the charter by the total number of passengers transported. The amount that is a direct campaign expense and a reportable expenditure shall be calculated on the basis of the actual cost per passenger multiplied by the number of passengers traveling for campaign purposes.

B. For travel by airplane, an itinerary shall be prepared and made available for Commission inspection. The itinerary shall show the time of arrival and departure, the type of events held, a list of all passengers on the trip, and whether the pilot(s) was compensated or volunteering his or her services.

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**Deleted:** Such portion shall be determined by calculating what the trip would have cost from the point of origin of the trip to the first campaign-related stop and from the stop through each subsequent campaign-related stop back to the point of origin. If any campaign activity, other than incidental contacts, is conducted at a stop, that stop shall be considered campaign-related.

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travel. If the candidate is not able to be reimbursed for the actual use of the aircraft, then the payment shall be remitted to the Clean Elections Fund.

- B. A volunteer who owns a private airplane and donates the use of it to a campaign shall be paid the state mileage reimbursement rate for airplane travel in subsection F. The campaign committee may also choose to reimburse the volunteer at the current airplane rental rate plus applicable incidental fees for gas, holding fees, etc... for the current rental rate of the actual model of airplane used for travel. If the volunteer is not able to accept payments for the actual use of the aircraft, then the payment shall be remitted to the Clean Elections Fund. A volunteer pilot may choose to donate the use of travel time without requiring compensation. The itinerary required to be prepared for all campaign travels via private aircraft shall note whether a pilot was either compensated or volunteering a personal service.

- C. A candidate, candidate's agent or person traveling on behalf of a candidate who uses a chartered, rented, or commercial airplane shall pay the actual cost for that service. Rental and chartered airplanes shall include any additional incidental costs including hourly flight rates, hourly holding fee, any ramp, handling, catering, and taxes, if applicable.

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1. If the trip is by charter airplane, the actual cost for each passenger shall be determined by dividing the total operating cost for the charter by the total number of passengers transported. The amount that is a direct campaign expense and a reportable expenditure shall be calculated on the basis of the actual cost per passenger multiplied by the number of passengers traveling for campaign purposes.

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- D. A candidate that uses a state aircraft for campaign purposes shall reimburse the State at the state mileage reimbursement rate for airplane travel allocable to the campaign. If the State is unable to accept the payment, the payment shall be remitted to the Clean Elections Fund.

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- E. For travel by airplane, an itinerary shall be prepared and made available for Commission inspection. The itinerary shall show the time of arrival and departure, nautical mileage, the type of events held, a list of all passengers on the trip, and whether the pilots were compensated or volunteering their services. If payment amounts are based on current publicly available retail rental rates, the itinerary shall include the date of travel and identify what services were used for reference.

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- F. The state reimbursement rate for the 2006 election cycle is 99.5 cents per nautical mile. For calculations, 1 nautical mile is equal to 1.1508 miles.

- G. Aircraft that is being used for banner towing, skywriting, or other means of communication which include express advocacy shall not fall under the provisions of this policy.

**Deleted:** A candidate, candidate's agent, or person traveling on behalf of a candidate who uses an airplane that is owned or leased by the candidate, another person, or charter airplane company shall reimburse the owner or leaseholder for the value of the travel and report the expenditure, or report the value of the in-kind contribution for the travel: ¶  
1. In the case of travel to a city served by regularly schedule commercial service, then the lowest non-discounted coach airfare; or¶  
2. In the case of travel to a city not served by a regularly scheduled commercial service, the charter rate comparable to the service provided under existing Arizona state contracts with charter airplane companies. Those amounts are available attached.¶  
In all situations, a candidate's campaign must reimburse the owner or leaseholder for the use of an airplane. A pilot may donate the use of his or her time without requiring compensation. The itinerary required to be prepared for all campaign travels via private aircraft shall note whether the pilots were compensated or volunteers.

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- H. A candidate, candidate's agent, or person traveling on behalf of a candidate who uses a motor vehicle, which is owned or leased by the candidate or another person or organization, must reimburse the candidate, person or organization respectively at the normal and usual rental charge of the transportation. The normal and usual reasonable rental charge shall be at least 10¢ per mile, which shall be paid from the candidate's campaign account. If the candidate fails to reimburse the owner or leaseholder for the use of the motor vehicle within 30 calendar days of the travel, then the value of the use of the motor vehicle is an in-kind contribution to the candidate's campaign and shall be assessed as the per mile reimbursement amount allowed to state employees at the time by the Arizona Department of Administration.

I If any individual, including a candidate, uses accommodations, including lodging and meeting rooms, during campaign-related travel, and the accommodations are paid for by another person, the candidate's authorized committee shall pay the person an amount equal to the usual and normal charge for the accommodations, and shall maintain documentation supporting the amount paid.

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(Adopted April 30, 2002, updated August 2003, revised January x, 2006)

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RATES ON ARIZONA STATE  
CONTRACT¶

Commission staff researched both state and federal travel law to arrive at its recommendation for travel policies. State employees that choose to travel in state via aircraft must arrange their own travel through one of the private charter flight companies that is on contract with the State Procurement Office. Staff contacted two of these aircraft charter companies to determine a reasonable range of cost for airline travel, and gathered the following information:¶

¶  
In general, aircraft charter companies charge an hourly flight rate, an hourly holding fee, any applicable ramp, handling and catering fees, and applicable tax. ¶

Staff used Federal regulations for candidates for federal elections to determine reimbursement procedures for the use of a privately owned airplane. Staff also used these regulations to determine travel documentation requirements for candidates and the procedure for determining the cost per person.

Public Comment of Kim Demarchi



LEAGUE OF WOMEN VOTERS RECEIVED  
ARIZONA  
JAN 31 2006  
CITIZENS CLEAN ELECTIONS COMMISSION

January 28, 2006

Citizens Clean Elections Commission  
1616 W. Adams St. Suite 110  
Phoenix, AZ 85007

**Re: Airplane Subpolicy statement on private pilot reimbursements**

Dear Citizen Clean Elections Commissioners;

The devil is always in the details. It is somewhat difficult to weigh the details of the policy on private pilots, including their personal rights, FAA rules and level playing fields.

The League of Women Voters does not take a position on all CCEC decisions. When we do consider changes that are suggested, we try to concentrate on two major goals of the CE law. 1) Taking money, and special interests with the power of money, out of elections and 2) provide a level playing field for citizen candidates. Generally this is stated as minimizing the political influence of money in running for office.

Some of the changes advocated by private pilots do not seem to pass the 'sniff test' of the goals stated above. It is difficult to imagine that it would be a level playing field when some candidates are able to use their own planes for transportation or the free volunteer services of private pilot friends and not have these advantages fully count toward CE funds. Most citizens have neither private planes nor private pilot friends willing to volunteer these services. For the citizen candidates without these advantages the rental fees for such transportation would be significant.

We appreciate that you have tabled this decision until the CE law and FAA rules can be meshed. However, the '**combined** option for reimbursement' draft submitted by Kim Dernarchi appears a reasonable compromise. It is our understanding that the following statement represents a 'floor' for such reporting such reimbursements and would be added to section 12 A:  
"If a trip is for both campaign and non-campaign purposes, no less than fifty percent (50%) for the cost of the trip shall be apportioned to "campaign purposes."

Whatever your decision, we would request that the commissioners keep in mind that the CCEC law is to level the playing field for citizen candidates, not between the rich and the super rich.

Sincerely,  
*Barbara Klein*

Barbara Klein  
LWVAZ 1<sup>st</sup> VP

Recommended Revision of Substantive Policy 13 (Richard Mayes)  
Private Pilots and private aircraft

**1. Use of privately owned aircraft**

A private pilot who uses an aircraft, for campaign purposes, owned by another person, organization or company must pay the owner of the aircraft at least as much as the published dry rental rate of the same make and model aircraft available at an FBO at the departure airport that the flight originates. If an aircraft of the exact make and model is not available at the departure point then;

- a) The least expensive published dry rental rate of an aircraft able to make the same flight available at the FBO at the departure airport, or
- b) The least expensive published dry rental rate of an aircraft able to make the same flight available at the closest FBO to the departure airport.

**2. Private Pilot personal transportation**

A licensed private pilot may use an aircraft for personal transportation as a participant in a state election campaign. No reimbursement of expenses shall be required if the pilot is not transporting passengers or cargo on behalf of the campaign in accordance with 14 CFR 61.113

**3. Carriage of passengers or cargo**

- a) A licensed private pilot must be reimbursed by the candidates campaign account for all actual expenses including fuel, oil, rental and airport fees if the pilot carries cargo or passengers on behalf of the campaign. However, the pilot must pay their own portion of the expenses on a pro-rata basis for the pilot's portion of the flight.
  1. A licensed private pilot who carries passengers or cargo on behalf on a state campaign must file an FAA Flight Plan. While VFR flights are not required to open the flight plan with FSS it is recommended
  2. For all flights under this section, a licensed private pilot must provide a copy of the FAA filed form 7233-1 (see figure-1) flight plan to the candidate's campaign committee. The candidates committee shall submit a copy of the flight plan along with receipts to the CCEC.
  3. In accordance with Federal Aviation Regulations private pilots may not carry cargo unless the carriage of cargo is incidental to the transportation.
- b) A licensed private pilot, who volunteers for a state election campaign, may carry other campaign volunteers as passengers who are not the candidate, employee of the candidate or candidate's campaign or immediate family members of the candidate so long the transportation is not arranged by or on behalf of the candidate or candidates' campaign. Such travel by volunteers would not be subject to the above provision requiring the campaign to reimbursement by the candidate campaign.

U.S. DEPARTMENT OF TRANSPORTATION FEDERAL AVIATION ADMINISTRATION		(FAA USE ONLY) <input type="checkbox"/> PILOT BRIEFING <input type="checkbox"/> VNR <input type="checkbox"/> STOPOVER			TIME STARTED		SPECIALIST INITIALS		
<b>FLIGHT PLAN</b>									
1. TYPE	2. AIRCRAFT IDENTIFICATION	3. AIRCRAFT TYPE/ SPECIAL EQUIPMENT	4. TRUE AIRSPEED	5. DEPARTURE POINT	6. DEPARTURE TIME		7. CRUISING ALTITUDE		
<input type="checkbox"/> VFR <input type="checkbox"/> IFR <input type="checkbox"/> DVFR			KTS		<input type="checkbox"/> PROPOSED (Z) <input type="checkbox"/> ACTUAL (Z)				
8. ROUTE OF FLIGHT									
9. DESTINATION (Name of airport and city)			10. EST. TIME ENROUTE		11. REMARKS				
			HOURS MINUTES						
12. FUEL ON BOARD		13. ALTERNATE AIRPORT(S)		14. PILOT'S NAME, ADDRESS & TELEPHONE NUMBER & AIRCRAFT HOME BASE			15. NUMBER ABOARD		
HOURS	MINUTES			17. DESTINATION CONTACT/TELEPHONE (OPTIONAL)					
16. COLOR OF AIRCRAFT		CIVIL AIRCRAFT PILOTS, FAR 91 requires you file an IFR flight plan to operate under instrument flight rules in controlled airspace. Failure to file could result in a civil penalty not to exceed \$1,000 for each violation (Section 901 of the Federal Aviation Act of 1958, as amended). Filing of a VFR flight plan is recommended as a good operating practice. See also Part 99 for requirements concerning DVFR flight plans.							

FAA Form 7233-1 (8-82)

CLOSE VFR FLIGHT PLAN WITH \_\_\_\_\_ FSS ON ARRIVAL

Figure 1